

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PATRICK ARNOLD WHITE, SR.,

Plaintiff,

v.

TDCJ, *ET AL.*,

Defendants.

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CIVIL ACTION H-20-2266

ORDER OF DISMISSAL


Plaintiff, a state inmate proceeding *pro se* and impliedly seeking leave to proceed *in forma pauperis*, filed a handwritten document complaining that COVID-19 regulations were causing “problems” with food and drink services at the Allred Unit. The remainder of his pleading is unintelligible. Although plaintiff captions his document as a “Petition Against the Abatement of an [*sic*] Writ,” no habeas claims are presented. The Court liberally construes the document as a section 1983 complaint regarding food services at his prison unit.

Plaintiff is a “three strikes” prisoner who is barred from proceeding *in forma pauperis* under section 1915(g). *See White v. Garcia*, C.A. No. 2:10-0137 (N.D. Tex. Aug. 12, 2010); *White v. Tex. Dep’t of Criminal Justice*, C.A. No. 4:10-1625 (S.D. Tex. May 11, 2010); *White v. State*, C.A. No. 5:10-0083 (W.D. Tex. Mar. 31, 2010). *See also White v. Tex. Dep’t of Criminal Justice*, C.A. No. 4:20-0086 (S.D. Tex. Jan. 23, 2020) (dismissing lawsuit as barred under section 1915(g)). Plaintiff’s pleading does not demonstrate that he was in

imminent danger of serious physical injury at the time it was filed, and he may not proceed *in forma pauperis* in this lawsuit.

This case is DISMISSED WITHOUT PREJUDICE pursuant to section 1915(g). Any and all pending motions are DENIED AS MOOT. Plaintiff may move to reinstate this case upon payment of the full \$400.00 filing fee within twenty-eight days from date of this dismissal.

Signed at Houston, Texas on July 21, 2020.



Gray H. Miller
Senior United States District Judge